

CALIFORNIA COURTS SELF-HELP CENTER

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**INSTRUCTIONS: Form WV-120
Order to Show Cause and Temporary Restraining Order**

THIS FORM IS CALLED THE **ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER** ("OSC/TRO" OR "TRO"). THIS IS THE ORDER YOU WANT THE JUDGE TO SIGN. AFTER THE JUDGE SIGNS THE ORDER, YOU CAN HAVE THE ORDER ENFORCED BY LAW ENFORCEMENT AGENCIES.

Note: Fill in the **OSC** in the same way as your **Petition** except as follows:

1. Leave items 2a and 3a–d on the **OSC** blank. The clerk of the court or the judge will insert the date. Your hearing will be within 15 days after the filing of the **Petition**.
2. Do not date or sign the **OSC**.

The clerk will give you this number after the judge signs the **TRO**. Use it on all the forms you file later.

After this form is filed, the clerk will stamp this box on the copies so everyone knows it is a copy of an official paper. This is the place for the "Endorsed-Filed" stamp.

County where you are filing your case. Call the clerk of the court if you do not know the address.

LEAVE THIS BLANK. The clerk, or the judge, will put the information in, or tell you what information to insert here.

The orders that follow are good only until the hearing. At the hearing, the court can make the orders last for as long as three years.

WV-120					
<small>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):</small> Sarah Jones 110 Main Street Anytown, California 91234 <small>TELEPHONE NO.:</small> (123) 555-1234 <small>E-MAIL ADDRESS (Optional):</small> sjoney@e-mail.com <small>FAX NO. (Optional):</small> (123) 555-1235 <small>ATTORNEY FOR (Name):</small> in pro per	<small>FOR COURT USE ONLY</small>				
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Any					
<small>STREET ADDRESS:</small> 1 Court Street <small>MAILING ADDRESS:</small> P.O. Box 123 <small>CITY AND ZIP CODE:</small> Anytime, California 91234 <small>BRANCH NAME:</small>					
<small>PLAINTIFF:</small> Sarah Jones <small>DEFENDANT:</small> John Roe <small>EMPLOYEE:</small> Michael Smith					
ORDER TO SHOW CAUSE (Workplace Violence) <input checked="" type="checkbox"/> and Temporary Restraining Order (CLETS)					
<small>CASE NUMBER:</small>					
<p>THIS ORDER SHALL EXPIRE AT THE DATE AND THE TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT.</p> <ol style="list-style-type: none">1. To Defendant (name): John Roe2. YOU ARE ORDERED to appear in this court at the date, time, and place shown in the box below to give any legal reason why the order sought and the other relief requested in the petition should not be granted.					
NOTICE OF HEARING					
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 25%;"><small>a. Date:</small></td><td style="width: 25%;"><small>Time:</small></td><td style="width: 25%;"><small>Dept.:</small></td><td style="width: 25%;"><small>Room:</small></td></tr></table>		<small>a. Date:</small>	<small>Time:</small>	<small>Dept.:</small>	<small>Room:</small>
<small>a. Date:</small>	<small>Time:</small>	<small>Dept.:</small>	<small>Room:</small>		
<p>b. The address of the court where the hearing will be held <input checked="" type="checkbox"/> is shown above <input type="checkbox"/> is (specify):</p>					
<p>3. IT IS FURTHER ORDERED that</p> <ol style="list-style-type: none">a. Plaintiff shall serve this <i>Order to Show Cause</i>, the attached <i>Petition</i> (form WV-100), and any other supporting papers by (specify manner of service): no later than (date):b. Any opposition papers shall be filed and served on plaintiff by (specify manner of service): no later than (date):c. Any reply papers shall be filed and served by (specify manner of service): no later than (date):d. Proof of service of plaintiff's papers shall be delivered to the court hearing the <i>Order to Show Cause</i> no later than (date):					
<p>4. You have the right to attend the hearing to oppose the petition, with or without an attorney. If you do not attend the hearing, the court may grant the requested orders without any further notice to you. The court may make these orders enforceable for a period not to exceed three years, after which they may be renewed, by filing a new <i>Petition for Injunction</i>. You should read the instructions on page two of this form. A complete instruction booklet (form WV-150) is available from the clerk's office located at the court shown above.</p>					
<p>Date: _____</p> <div style="text-align: right;"><small>JUDICIAL OFFICER</small> <div style="border: 1px solid black; width: 150px; height: 30px; margin: 5px auto;"></div><small>SIGNATURE FOLLOWS LAST ATTACHMENT</small></div>					
<p>ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER (CLETS) (Workplace Violence)</p>					
<div style="display: flex; justify-content: space-between;"><div><small>Form Approved for Optional Use Judicial Council of California WV-120 (Rev. January 1, 2003)</small></div><div><small>Page 1 of 4 Code of Civil Proc., § 527.8 Penal Code, § 273.6(a)</small></div></div>					

Fill this in.

Leave this blank.

Fill in the defendant's name and other information to help the law enforcement officer locate and identify him or her.

Put an "X" in the boxes that apply to your case; leave boxes empty if they do not apply to your case.

You do not need to give specific addresses in item 7. However, it may be easier for the police to enforce your orders if they know the defendant knows the addresses to stay away from.

PLAINTIFF (Name): Sarah Jones	CASE NUMBER:
DEFENDANT (Name): John Roe	

TEMPORARY RESTRAINING ORDER

THE COURT FINDS

5. a. The defendant is (name): John Roe

Sex: ☒ M ☐ F Ht.: 6' Wt.: 190 Hair color: Br. Eye color: Br. Race: White Age: 50 Date of birth: 10/1/52

b. The protected employee is (name): Michael Smith

c. Protected family or household members who reside with employee are:

(1) (Name): Jane Smith

Sex: ☐ M ☒ F Date of birth: 3/27/66

(2) (Name): Mary Smith

Sex: ☐ M ☒ F Date of birth: 1/17/95

(3) (Name):

Sex: ☐ M ☐ F Date of birth: _____

☐ Continued on Attachment 5c.

UNTIL THE TIME OF HEARING, IT IS ORDERED

6. Defendant is prohibited from further violence or threats of violence against the protected persons and **SPECIFICALLY IT IS ORDERED THAT DEFENDANT**

a. ☒ shall not assault, batter, or stalk the employee and other protected persons

b. ☒ shall not follow or stalk the employee and other protected persons to or from the place of work

c. ☒ shall not follow the employee and other protected persons during hours of employment

d. ☒ shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail

e. ☒ shall not enter the workplace of the employee and other protected persons

f. ☐ other (specify):

7. ☒ Defendant is ordered to stay at least (specify): 100 yards away from the following persons and places (the addresses of the places are optional and may be kept confidential):

a. ☒ Employee and other protected persons named in item 5.

b. ☒ Residence of employee and other protected persons (address optional): 110 Main Street Anytown, California

c. ☒ Place of work of employee and other protected persons (address optional):

d. ☒ School or place of child care of children of employee and other protected persons (address optional):

e. ☒ The employee's and other protected persons' vehicles

f. ☐ Other (specify):
(address optional):

8. ☐ Contacts relating to pickup and delivery of children under a court order or a court-approved stipulation of the parties arrived at during mediation shall be permitted, unless a criminal domestic protective or restraining order prohibits such contacts.

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**ORDER TO SHOW CAUSE AND
TEMPORARY RESTRAINING ORDER (CLETS)
(Workplace Violence)**

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Fill this in.

Leave this blank.

Item 11 lists the papers that must be personally served on the defendant.

Courts generally require that the defendant be served at least 5 days before the hearing. But the court may shorten the time.

List the addresses of all law enforcement agencies that enforce the law where harassment has occurred or is likely to occur in the future.

After it is signed by the judge, you or your attorney must take a copy of this order to the law enforcement agencies immediately if you want them to be able to enforce it.

<div style="border: 1px solid black; padding: 2px;"><div style="display: flex; justify-content: space-between;"><div>PLAINTIFF (Name): Sarah Jones</div><div>CASE NUMBER:</div></div><div style="border-top: 1px solid black; padding-top: 2px;">DEFENDANT (Name): John Roe</div></div>	
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9. ☐ OTHER ORDERS (specify):

10. **MANDATORY FIREARM RELINQUISHMENT**
The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within

a. ☐ 24 hours after issuance of this order (if restrained person is present at hearing).
b. ☐ 24 hours after service of this order (if restrained person is not present at hearing).
c. ☐ other (specify):

The restrained person shall file a receipt with the court showing compliance with this order within 72 hours of receiving this order.

11. ☒ Application for an order shortening time is granted and the following documents shall be personally served on the defendant no less than (specify number): two (2) days before the time set for hearing:

a. Order to Show Cause and Temporary Restraining Order (CLETS) (Workplace Violence) (form WV-120)
b. Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence) (WV-100)
c. blank Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence) (WV-110)
d. blank Proof of Service of Completed Response (form WV-131)
e. other (specify):

12. By the close of business on the date of this order, a copy of this order and any proof of service shall be given to the law enforcement agencies listed below as follows:

a. ☒ Plaintiff shall deliver.
b. ☐ Plaintiff's attorney shall deliver.

Law enforcement agency	Address
Anytown Police Department	100 Tuft Street Anytown, California 91234
Anytown Police Department	Government Hall Big City, California 91345

Date: _____

JUDICIAL OFFICER
☐ SIGNATURE FOLLOWS LAST ATTACHMENT

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received, and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment.

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(Workplace Violence)**Page 4 of 4